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Attorneys for Plaintiff
DEL MAR SEAFOODS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DEL MAR SEAFOODS, INC.)	Case No.: CV 07-02952 WHA
)	
Plaintiff,)	IN ADMIRALTY
)	
vs.)	AFFIDAVIT OF SUBSTITUTE
)	CUSTODIAN WILLIAM BODLE
BARRY COHEN, CHRIS COHEN (aka)	
CHRISTENE COHEN), <i>in personam</i> and)	
F/V POINT LOMA, Official Number)	
515298, a 1968 steel-hulled, 126-gross ton,)	
70.8- foot long fishing vessel, her engines,)	
tackle, furniture, apparel, etc., <i>in rem</i> , and)	
Does 1-10,)	
)	
Defendants.)	

I, William Bodle, am the owner and operator of SugarDock, and declare that:

1. I am familiar with the F/V POINT LOMA (Official No. 515298) (the "Vessel"), the Defendant Vessel in this action, at least to the extent of her size, type, construction material, location in the District, and apparent condition, and attest that SugarDock can provide adequate facilities and supervision to safely store and maintain the Vessel within the District in place of the current Substitute Custodian, National Maritime Services, during the pendency of this action and until further order of the Court; and, in this regard, SugarDock would exercise due care to preserve and protect the Vessel during the custodianship.

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DelMarSeafoods/2504

2. SugarDock is located in Point Richmond within the San Francisco Bay Area, approximately 10 miles (by sea) from the current location of the Vessel at the Hyde Street piers in San Francisco. A map showing the location of SugarDock is attached as **Exhibit A**. SugarDock is a secure facility with no public access. Information from SugarDock's website is attached as **Exhibit B**.

3. SugarDock has previous experience serving as a professional substitute custodian for arrested vessels, including commercial fishing vessels such as the F/V POINT LOMA. SugarDock has been continuously in operation for over 6 years, and has a good reputation throughout the maritime industry in the Bay as a competent and experienced docking facility.

4. As the appointed Substitute Custodian of the Vessel, SugarDock will:

- a. Assume the Substitute Custodianship of the Vessel from the National Maritime Services, Inc.;
- b. Be responsible for the safekeeping of the Vessel during the pendency of this action; and
- c. Comply with all Orders of this Court regarding the Vessel and the Substitute Custodianship of the Vessel.

5. The daily storage charges for SugarDock to keep the Vessel safe and afloat will be \$1.00 per day per foot of overall length.

6. SugarDock has assets and insurance adequate to respond to damage for loss of, or injury to, the Vessel during custody and for damages sustained by third parties due to any negligence of SugarDock or its employees or agents during custody. SugarDock will hold harmless and indemnify the United States and the U. S. Marshal's Service from any claims against either of them arising out of the negligent performance of any duties it undertakes as Substitute Custodian.

7. Further, SugarDock agrees to accept Substitute Custodianship of the Vessel in accordance with the Order Appointing Substitute Custodian.

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FROM : SUGARDOCK&ALBION MARINE

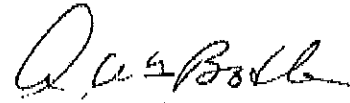
FAX NO. : 510+2324282

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FROM COX, WOOTTON, GRIFFIN, HANSEN & POULOS, LLP (WED) 6. 13 '07 9:29:01 9:27/NO. 4861698452 P 4

8 All costs and expenses incidental to the keeping of the Vessel will be paid initially by Plaintiff DEL MAR. The U.S. Marshal will not assume liability for any costs incurred incidental to a Court-appointed custodianship.

I declare under penalty of perjury, under the laws of the United States that the foregoing is true and correct, and that this Declaration was executed on June 13, 2007 at Point Richmond.


A. William Bodle

COX, WOOTTON,
GRIFFIN, HANSEN
& POULOS LLP

THE AMERICAN
OVERSIGHT BOARD
OF INVESTIGATION
OF THE
FEDERAL BUREAU OF
INVESTIGATION

AMERICAN OVERSIGHT BOARD OF INVESTIGATION

EXHIBIT A



800 Wharf St
Richmond CA
94804-3558 US

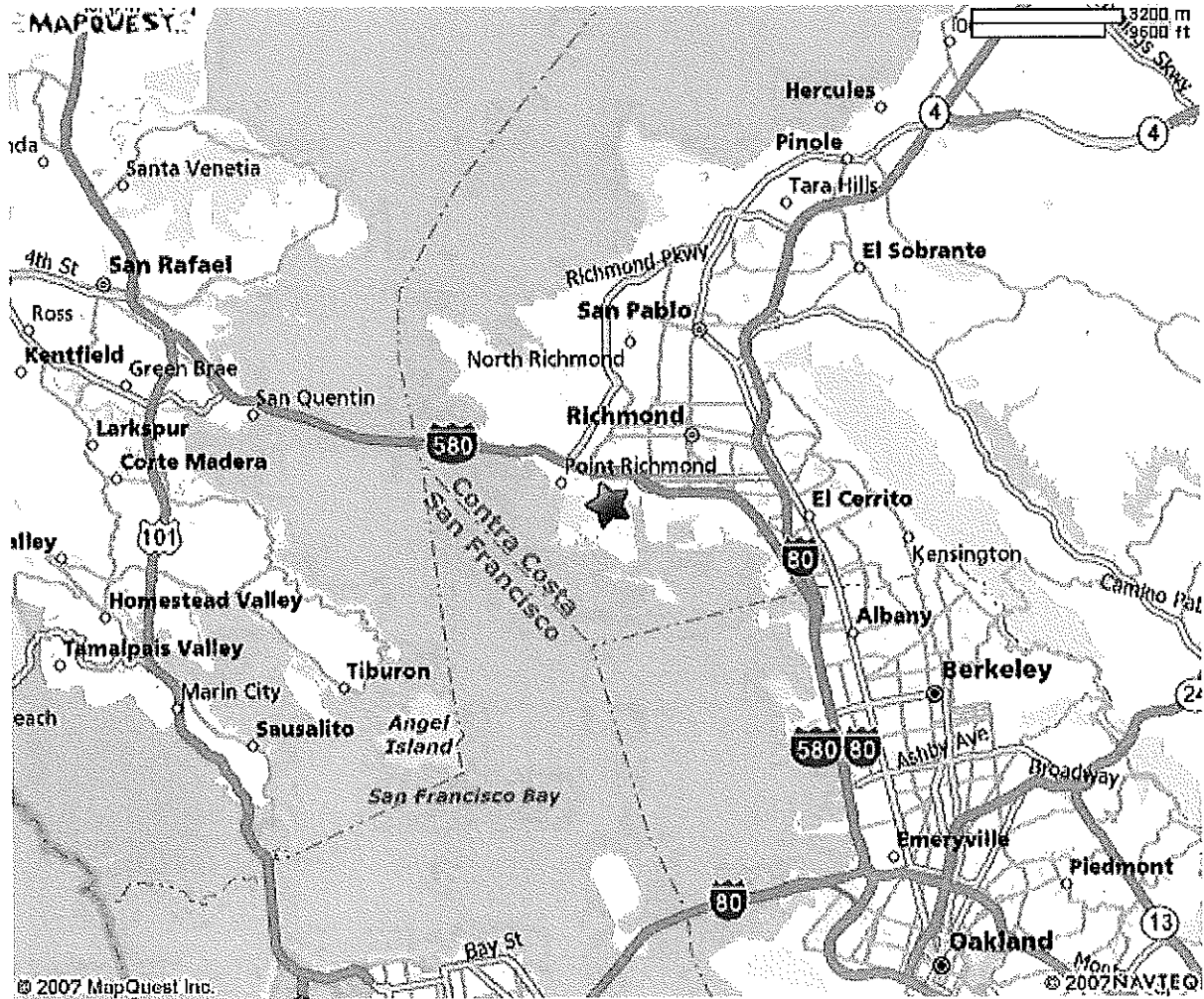
Notes:

Only text visible within note field will print.

LIMITED TIME WEEKLY AND WEEKEND DEALS

COMPACT	MIDSIZE	FULL SIZE
\$28.99 Wknd Day	\$31.99 Wknd Day	\$34.99 Wknd Day
\$149.99 Per Week	\$219.99 Per Week	\$229.99 Per Week
PREMIUM	MINIVAN	STD. SUV
\$36.99 Wknd Day	\$42.99 Wknd Day	\$42.99 Wknd Day
\$239.99 Per Week	\$259.99 Per Week	\$259.99 Per Week

Budget
Get These Deals



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EXHIBIT B

SUGARDOCK



Home Page

Deep water dockage

Facilities

SugarDock is a uniquely configured full service deep water dock in Point Richmond on the San Francisco Bay.



Amenities

We offer the convenience of fueling, provisioning, watering and repairing alongside a new concrete apron. We are fortunate to have a railhead at our dock, so you can transport very large and heavy items right to your vessel.

Maps and Contacts

Additionally, many technical and mechanical vendors are nearby as well as a number of fine food and wine purveyors for reprovisioning.

Keep in mind San Francisco and the Napa Valley are so close; they are yours to enjoy and explore!

Facilities

A dock designed by experience!

[Home Page](#)

[Facilities](#)

[Amenities](#)

[Maps and Contacts](#)

- Deep Water Dockage on the protected waters of the Richmond Inner Harbor.
- 760 linear feet of improved shoreline, 34 ft. of water depth and 45 ft. wide concrete apron.
- Vehicular parking adjacent to 4 ft. wide aluminum gangways leading directly to new, large vessel floating docks.
- Metered Electrical Service includes single phase and 3 phase, any voltage from 120v to 500v at 200 amps.
- Direct sewer hook-up.
- 2" potable water lines at 90 psl. 6" Fire Main.
- New bathrooms and showers.
- 40 ton walking hydraulic crane with 140 ft. reach on site as well as forklifts.
- Security.
- Multiple phone lines available.
- Storage and work shops available on site.
- Berthing for vessels from 50 ft. to 350 ft.

